

FILED

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BY: \_\_\_\_\_  
DEPUTY CLERK

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IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH, CENTRAL DIVISION

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UNITED STATES OF AMERICA,	M I S D E M E A N O R
Plaintiff,	:
	I N F O R M A T I O N
v.	:
	Case No.
JUSTIN L. NELSON,	:
Defendant.	:
	(Violation Notice F2146813)
	:
	(Assaulting a Federal Officer
	(18 U.S.C. 111(a)))
	:
	Magistrate Judge Brooke C. Wells

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The United States Attorney Charges:

COUNT I

On or about the 12th day of July, 2003, in the Central  
Division of the District of Utah,

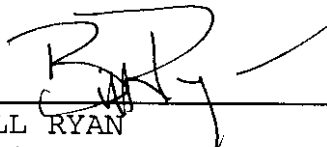
JUSTIN L. NELSON,  
the Defendant herein, did forcibly assault, resist, oppose, impede,  
intimidate, and interfered with a person designated in 18 U.S.C. §  
1114 (to wit: United States Forest Service Law Enforcement Officer  
Jason Parker) by fleeing from Officer Parker and by throwing a

DATE STAMP: 03/23/2004 @ 15:52:25  
CASE NUMBER: 2:04CR00159

glass bottle which struck Officer Parker, all in violation of 18 U.S.C. § 111 and as described in the attached copy of Violation Notice F2146813 with Statement of Probable Cause, which are incorporated by reference and made a part hereof.

DATED this 22nd day of March 2004

PAUL M. WARNER  
United States Attorney

  
\_\_\_\_\_  
BILL RYAN  
Assistant United States Attorney

Loc. Code U-33		<b>United States District Court Violation Notice</b>	
Violation No. <b>F 2146813</b>		Print Officer Name <b>PAULER</b> Officer No. <b>1623</b>	
YOU ARE CHARGED WITH THE FOLLOWING VIOLATION			
Date and Time of Offense <b>7-12-03 1650</b>		Offense Charged <b>T.H. 18 USC 111</b>	
Place of Offense <b>MAPLE BRACK LAKES</b>			
Offense Description <b>WHICH ARE FRIENDLY ASSAULTS, ROBBERIES, OFFENSES, IMPEDES IDENTIFICATION OR INTERFERES WITH ANY PERSON OBSERVING OR ASSISTING FEDERAL OFFICERS WHILE ENGAGED IN OFFICIAL DUTY OF THE PERFORMANCE OF HIS OFFICIAL DUTY. SUSPECT ALSO USED A DEADLY OR DANGEROUS WEAPON (ALSO BARE BATTLE)</b>			
Defendant's Last Name <b>NEILSON</b>		First Name <b>JUSTIN</b>	M.I. <b>L</b>
Street Address <b>P.O. Box 23</b>			
City <b>GOSHEN</b>	State <b>UT</b>	Zip Code <b>84633</b>	Date of Birth <b>6-4-1983</b>
Driver's License No. <b>SUSPENDED / REVOKED</b>	D.L. State <b>UT</b>	Social Security No. <b>528-53-2170</b>	
VEHICLE DESCRIPTION			
Vehicle Tag No. <b>---</b>	Vehicle Tag State <b>---</b>	Year <b>---</b>	Vehicle Make <b>---</b>
Vehicle Color <b>---</b>			
A <input checked="" type="checkbox"/> YOU MUST APPEAR IN COURT. SEE INSTRUCTIONS. B <input type="checkbox"/> YOU MUST MARK ONE OF THE TWO CHOICES BELOW AND MAIL THIS FORM WITHIN 21 DAYS. SEE INSTRUCTIONS. I wish to terminate this matter by paying the collateral shown below, enclosed. I plead not guilty and promise to appear as required.			
YOUR COURT DATE			
Court Address <b>UNITED STATES DISTRICT COURT 350 SOUTH MAIN STREET SALT LAKE CITY, UT 84101</b>			Date <b>---</b>
Collateral (fine) <b>M/A</b>			For payment by credit card, SEE INSTRUCTIONS
SEX <b>M</b>	RACE <b>W</b>	HAIR <b>BRO</b>	EYES <b>BLU</b>
HEIGHT <b>6'0</b>		WEIGHT <b>140</b>	
<input checked="" type="checkbox"/> Adult	Veh. Type <b>---</b>	VIN <b>---</b>	
<input type="checkbox"/> Juvenile			
Without admitting guilt, I promise to appear as required.			
Signature <b>---</b>			

**STATEMENT OF PROBABLE CAUSE**  
 (for issuance of an arrest warrant or summons)

I state that on **7-12-03** while exercising my duties as a law enforcement officer in the **Central** District of **UTAH**

**SEE ATTACHED REPORT**

The foregoing statement is based upon:  
☒ my personal observation ☒ my personal investigation  
☐ information supplied to me from my fellow officer's observation  
☐ other (explain above)

I declare under penalty of perjury that the information which I have set forth above and on the face of this violation notice is true and correct to the best of my knowledge.

Executed on: **7-12-03** Date **---** Officer's Signature **---**

Probable cause has been stated for the issuance of a warrant.

Executed on: **---** Date **---** U.S. Magistrate Judge **---**

## Statement Of Probable Cause

On July 12, 2003 approximately 1630 hrs. I was leaving Maple Bench Lake recreation area. When I made contact with the campground host who over sees the Maple Bench Lake Campground. He asked me if I had noticed a Blue and White Pick-Up that went up the canyon. The host told me they were driving way to fast in the campground and asked them to slow down. The host told me the driver said ok, and sped off up the canyon. I explained to the host I would drive back up the canyon and go talk with them.

When I arrived back up the canyon, I observed the vehicle parked by a trail leading down towards the lake. I noticed the expiration date on the vehicle was expired. I called the registration in and let my dispatcher know that I would be out looking for the owner. I registration came back to a Patrick Clark from Orem, UT. I started walking down the trail and when I approached the lake I noticed three individuals floating on rafts in the middle of the lake. I called out to them and asked if Patrick was out there and if he was I need to speak with him. I got no response from the group. At that time I noticed on my left stopped on the trail were two individuals standing behind a tree. I saw the guy on the right hand side toss something of a silver color into the grass near the lakes edge.

As I approached them I noticed the guy on my right, later identified as Casey Nielsen had a full bottle of beer and the guy on my left later identified as Justin Nelson had a half of bottle of beer. I asked if they knew the owner of the blue truck. They said they did but he wasn't around. I called into my dispatch center and let them know I possibly had drugs at this location. They acknowledge me and asked if I needed back up. I told them I was fine for now but I would let them know if something happened. I then noticed the two getting real nervous; I asked them to sit on the ground while I talked with them. Justin Nelson was real reluctant to sit down, I asked Casey Nielsen to stand up and talk to me, when I did Justin Nelson took off running up the trail. I told Casey to get on the ground and not to move. I then proceed to run after Justin yelling at him to stop. While I was running I was calling for back up to respond to my location. I noticed a beer can had fell from Justin's person as we were running. I also saw Justin start kicking his sandals off. As I was closing in on him I noticed he looked over his right shoulder to see where I was at and then he threw a clear glass bottle from his left hand over his right shoulder towards me striking me in the right leg. I stopped my foot pursuit and called in a description of the individual and the direction he was running in.

I made my way back towards Casey Neilson and noticed he was standing up. I gave him two very loud verbal commands to get on the ground and he refused. As I approached I knocked Casey to the ground telling him to cooperate. Casey then tried getting up and I then struck Casey with my right forearm to the side of his head. Casey then got onto his stomach and at time I was able to secure both of his hands using my handcuffs. I then stood Casey up walked him to my vehicle. I asked Casey what he had thrown in to the grass by the lake and he told me a pipe that was used for smoking marijuana. I asked Casey why Justin ran and he told me he didn't know and that he just

met him that day. When I did a search of Casey person I recovered a small brass screwdriver which had a heavy odor of burnt marijuana smell to it. When other officers got on scene I went back to the lake to recover evidence.

I noticed a silver colored metal pipe lying in the grass near where Casey was standing. I also recovered two gray in color sandals (Flip-Flops) which Justin had kicked off. I recovered a full bottle of beer which was the one Justin threw at me.

Justin Nelson was not apprehended that day. After further investigation, I discovered Justin is on felony probation and has two warrants out for his arrest. Justin also has an extensive criminal record.

Casey Nielsen was cited for Title 21 USC 844 (a) Possession of a controlled substance and 261.3 (a) resisting with any Forest officer engaged in or on account of the performances of his official duties in the protection, improvement, or administration of the National Forest System.

I declare under penalty of perjury that the information which I have set forth above and on the face of this violation notice is true and correct to the best of my knowledge.

Jason Parker # 1623  
United States Forest Service  
Law Enforcement & Investigations